



Tyngsborough Board of Health

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Sheila Perrault, Chairperson

Bernadette Harper – Vice Chairperson
Steve Berthiame

Christopher Mellen
Tracie Looney

Board of Health Meeting Minutes **November 18, 2013**

Members Present: Sheila Perrault (SP), Bernadette Harper (BH), Christopher Mellen (CM), Tracie Looney (TL), Steve Berthiame (SB)

Also Present: Kerri C. Oun (KO) – Health Agent, Dariza Chan (DC) – Administrative Assistant

6:08 Meeting Minutes

TL: made motion to approve October 21, 2013 minutes.

SB: 2nd the motion

Vote: Yes – 5 no - 0

6:10 Health Agent's Report:

Flu Clinic: KO reported that about 60 shots were given at the flu clinic. She also did home visits with Pat Quinn. She also held a clinic for employees.

Olive Garden: KO updated the Board that Dale McKinnon requested a report from MW for each inspection. She explained to Dale that the construction permit has a sign off spot for each step of inspections. She later received email that the sign off will suffice and no longer need report from MW.

Dumpster Regulation: From last meeting, Board asked KO to research regulation on dumpster. Board wanted to know why some dumpsters are permitted and why some are not. KO found Tyngsborough Dumpster Regulation that authorized BOH to permit all dumpsters. Currently, BOH only permitted dumpsters in establishments that BOH licensed (i.e. restaurants, retail stores). Board agreed to table the issue on licensing all dumpsters due to the implementation of the mandatory bylaw that required businesses to recycle.

6:30 400 Dunstable Road:

Mr. Shaxio Ji and his wife were present to request a waiver for a Title V. Mr. Ji was cited for scooping sanitary waste from the septic tank and dumping into the woods and the dumpster. BOH office received a call from a resident reporting the owner dumping waste into the woods. KO, MW, the building commissioner and the conservation agent inspected the site and found the waste in the woods and in the dumpster. MW inspected the tank and noted that the waste level was high. On October 28th, Mr. Ji was ordered to hire an environmental professional to clean up the waste and to provide a title V inspection.

Mr. Ji introduced himself and his wife and gave background on how they came to the US. Mr. Ji realized that what he had done was wrong and apologized to the Board. He said he

scooped the waste and leave to dry to show his maintenance man what had entered into the system. He believed the problem is caused by the tenants. He said he had found nylon string in septic tank. He believed that the issue is the filter. He said once he cleaned the filter, the water went down in the septic tank. He had the septic tank pumped after he was cited and he also had it pumped in January and June 2013. He bought the property in December 2012 and property had passed Title V. There are 24 units within building. He has cleaned up the property and Health Agent has received invoice from the clean-up company. He believed the Title V is not necessary since Title V is less than 2 years. He believed it was the filter that was causing the issue. TL asked if there are any other issues since they bought the property. Landlord admitted that there have been two sewer backups and claimed it was due to a clog in the pipe in the building. They had called in the septic company to take care of the issue but the backup continued. They had to call in Roto Rooter to snake the line. KO informed the Board that she inspected the septic tank with Matt Waterman (MW) in August after she received a call from one of the tenants regarding sewer backup. MW noted that during the inspection, the septic tank was at the proper level. She inspected 2 basement units and cited landlord for cleanup of sewer backup. Mr. and Mrs. Ji claimed that backup was taken care of and it is due to the pipe within the building, not the septic system. KO reminded Mr. and Mrs. Ji that MW inspected the system the 2nd time, after the BOH office received complaints of landlord scooping the waste out of septic tank and noted that the waste level in tank was high. It is due to this observation that MW recommended to Health Agent for landlord to get Title V. Mrs. Ji claimed that KO would not normally go and check people's septic system. KO reminded her that if there is no issue or complaints with the septic system, she normally does not inspect the system but in this case, she has received complaints from their tenants and has noted violations. Board reviewed Title V. Title V was done in December 2011. CM noted that in Title V, Title V inspector recommended pumping quarterly. Owners have been pumping only 2 times a year.

SB: made motion to waive Title V at 400 Dunstable Road as requested by the owners.

TL: second the motion

Vote: yes -0 No -5 (Motion failed and therefore order for landlord to provide Title V stands.)

BH: made motion for landlord to provide Title V within 7 days from today

TL: 2nd the motion

Vote: Yes -5 No - 0

7:55 Trash and Recycling

Hot Stamps: SB and Recycling Subcommittee have been working on hotstamp for the recycling toter. SB presented to Board for approval.

SB: made motion to approve hotstamp for the recycling toter.

BH: second the motion.

Vote: yes - 5 No - 0

8:00 Administrative Assistant Notes:

DC reported that she has sent out the 3rd notice to all the businesses that have not submitted their recycling plan. This time, all the businesses are addressed in the letter.

DC reported that Landtec continued to bill at \$70 per hour rate.

DC has sent out renewal applications to the businesses for the permits.

8:10 SB : made motion to adjourn

BH : second the motion.

Vote: Yes -5 No -0